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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

SOLOMON COLEMAN, individually,  
Plaintiff,

vs.

LAS VEGAS METROPOLITAN POLICE  
DEPARTMENT; CHERYL HOOTEN,  
individually; JOSEPH LEPORE, individually;  
BRIAN SANTAROSSA, individually;  
DONALD SHANE, individually; R. TENNANT,  
individually; VICENTE RAMIREZ,  
individually; LISA LUZAICH, individually,  
Defendants.

Case Number: 2:20-cv-00739-JAD-BNW

**STIPULATED DISCOVERY PLAN  
AND SCHEDULING ORDER**

☐ SUBMITTED IN COMPLIANCE WITH LR 26-1(b)  
- or -  
☒ SPECIAL SCHEDULING REVIEW REQUESTED

Plans requesting special scheduling review shall include, in addition to the information required by Fed. R. Civ. P. 26(f) and LR 26-1(b), a statement of the reasons why longer or different time periods should apply to the case or, in cases in which the parties disagree as to the form or contents of the discovery plan, a statement of each party's position on each point in dispute.

**I.  
PRIOR PROCEEDINGS**

**A. DATE OF FILING OF ANSWER BY FIRST ANSWERING  
DEFENDANT:**

December 6, 2021.

**B. DATE THE FED. R. CIV. P. 26(f) CONFERENCE WAS HELD:**

January 12, 2022.

**II.**  
**DISCOVERY PLAN:**

**A. NUMBER OF DAYS REQUIRED FOR DISCOVERY:**

1. **Plaintiff's view:**

180 days

2. **Defendant's view:**

180 days

**B. WHAT CHANGES, IF ANY, SHOULD BE MADE IN TIMING, FORM OR REQUIREMENTS FOR DISCLOSURES UNDER 26(a):**

1. **Plaintiff's view:**

None.

2. **Defendant's view:**

None.

**C. WHEN INITIAL DISCLOSURES WERE MADE OR WILL BE MADE:**

1. Plaintiff's disclosures: January 26, 2022  
enter calendar date

2. Defendant's disclosures: January 26, 2022  
enter calendar date

**D. SUBJECTS ON WHICH DISCOVERY MAY BE NEEDED:**

1. **Plaintiff's view:**

Discovery will be needed on Plaintiff's claims, as well as Defendants' defenses.

2. **Defendant's view:**

Discovery will be needed on Plaintiff's claims, as well as Defendants' defenses.

**E. SHOULD DISCOVERY BE CONDUCTED IN PHASES OR LIMITED TO OR FOCUSED UPON PARTICULAR ISSUES?**

1. **Plaintiff's view:**

N/A

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2. **Defendant's view:**

N/A

F. **STATE ANY ISSUES ABOUT DISCLOSURE OR DISCOVERY OF ELECTRONICALLY STORED INFORMATION, INCLUDING THE FORM OR FORMS IN WHICH IT SHOULD BE PRODUCED.**

1. **Plaintiff's view:**

None at this time.

2. **Defendant's view:**

None at this time.

G. **STATE ANY ISSUES ABOUT CLAIMS OF PRIVILEGE OR OF PROTECTION AS TRIAL-PREPARATION MATERIALS, INCLUDING—IF THE PARTIES AGREE ON A PROCEDURE TO ASSERT THESE CLAIMS AFTER PRODUCTION—WHETHER TO ASK THE COURT TO INCLUDE THEIR AGREEMENT IN AN ORDER.**

1. **Plaintiff's view:**

None at this time.

2. **Defendant's view:**

None at this time.

H. **WHAT CHANGES, IF ANY, SHOULD BE MADE IN LIMITATIONS ON DISCOVERY IMPOSED UNDER THESE RULES AND WHAT, IF ANY, OTHER LIMITATIONS SHOULD BE IMPOSED?**

1. **Plaintiff's view:**

None at this time.

2. **Defendant's view:**

None at this time.

I. **WHAT, IF ANY, OTHER ORDERS SHOULD BE ENTERED BY THE COURT UNDER RULE 26(c) OR RULE 16(b) AND (c)?**

1. **Plaintiff's view:**

None at this time.

2. **Defendant's view:**

None at this time.

**III.**  
**DISCOVERY AND MOTION DATES:**

**A. DATES AGREED BY THE PARTIES:**

1. Close of discovery: July 11, 2022  
enter calendar date  
(Discovery periods longer than 180 days from the date the first defendant answers or appears will require special scheduling review)
2. Final date to file motions to amend pleadings or add parties (without a further court order): April 12, 2022  
enter calendar date  
(Not later than 90 days before close of discovery)
3. Final dates for expert disclosures:
  - (a) Initial disclosure: May 12, 2022  
enter calendar date  
(Not later than 60 days before close of discovery)
  - (b) Rebuttal disclosures: June 13, 2022  
enter calendar date  
(Not later than 30 days after initial disclosure of experts)
4. Final date to file dispositive motions: August 10, 2022  
enter calendar date  
(Not later than 30 days after discovery cut-off date)
5. Joint Pretrial Order: September 9, 2022  
enter calendar date  
(Not later than 30 days after date set for dispositive motions)

**B. IF APPLICABLE, STATEMENT OF THE REASONS WHY LONGER OR DIFFERENT TIME PERIODS SHOULD APPLY TO THE CASE OR, IN CASES IN WHICH THE PARTIES DISAGREE AS TO THE FORM OR CONTENTS OF THE DISCOVERY PLAN, A STATEMENT OF EACH PARTY'S POSITION ON EACH POINT IN DISPUTE:**

**1. Plaintiff's view:**

The Parties are requesting the standard 180 days for discovery, but that the starting date for discovery occur later than the date the first defendant

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1 answered, as stated in LR 26-1(b)(1), due to the fact Defendants initially filed  
2 a motion to dismiss, which was granted in part. Due to time which passed  
3 from the date of answering to the Court's decision on the Motion to Dismiss,  
4 starting the time for discovery on the date of the Rule 26(f) conference allows  
5 the Parties a meaningful time-period to complete necessary discovery.

6 **2. Defendant's view:**

7 The Parties are requesting the standard 180 days for discovery, but  
8 that the starting date for discovery occur later than the date the first defendant  
9 answered, as stated in LR 26-1(b)(1), due to the fact Defendants initially filed  
10 a motion to dismiss, which was granted in part. Due to time which passed  
11 from the date of answering to the Court's decision on the Motion to Dismiss,  
12 starting the time for discovery on the date of the Rule 26(f) conference allows  
13 the Parties a meaningful time-period to complete necessary discovery.

14 **C. ALTERNATIVE DISPUTE RESOLUTION:**

15 The undersigned certify that they met and conferred about the possibility of using  
16 alternative dispute-resolution processes.

17 **D. ALTERNATIVE FORMS OF CASE DISPOSITION:**

18 The undersigned certify that they considered consent to trial by magistrate judge  
19 under 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73 and the use of the Short Trial Program.

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**E. ELECTRONIC EVIDENCE:**

☐ A jury trial has not been demanded.

☒ A jury trial has been demanded and the undersigned certify that they discussed whether the parties intend to present evidence in electronic format to jurors for the purposes of jury deliberations, and the following stipulations were reached regarding providing discovery in an electronic format compatible with the court's electronic jury evidence display system: None at this time.

Dated this 26th day of January, 2022.

Dated this 26th day of January, 2022.

**MARQUIS AURBACH**

**MARX LAW FIRM, PLLC**

By: /s/ Nick D. Crosby, Esq.

By: /s/ Bradley E. Marx, Esq.

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*Attorneys for Plaintiff*

**ORDER**

IT IS ORDERED that ECF No. 42 is GRANTED. The Court adopts the dates proposed by the parties.

IT IS SO ORDERED

DATED: 5:28 pm, January 27, 2022

  
BRENDA WEKSLER  
UNITED STATES MAGISTRATE JUDGE